

EXHIBIT 1

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EVGENY OKMYANSKY,
Plaintiff,

v.

HERBALIFE INTERNATIONAL OF
AMERICA, INC.,
Defendant.

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Civil Action No. 03-10574-JLT

ORDER

January 7, 2004

TAURO, J.

After a conference on January 6, 2004, the court hereby orders that:

1. Plaintiff may conduct a Fed. R. Civ. P. § 30(b)(6) deposition of Defendant;
2. Defendant may depose Plaintiff, Evgeny Okmyansky;
3. The Joint Motion to Bifurcate Discovery and for Approval of Phase I Discovery Plan [#10] is ALLOWED;
4. The Discovery Schedule in the Parties' First Amended Joint Statement is ADOPTED IN FULL;
5. No further discovery is permitted without leave of the court; and
6. A Motion Hearing will be held on June 21, 2004 at 10:00 a.m.

IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge